

110TH CONGRESS
1ST SESSION

H. R. 902

To facilitate the use for irrigation and other purposes of water produced
in connection with development of energy resources.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2007

Mr. UDALL of Colorado (for himself, Mr. EDWARDS, and Mr. PEARCE) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To facilitate the use for irrigation and other purposes of
water produced in connection with development of energy
resources.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE, FINDINGS, AND PURPOSE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “More Water and More Energy Act of 2007”.

6 (b) FINDINGS.—The Congress finds the following:

7 (1) Development of energy resources, including
8 oil, natural gas, coalbed methane, and geothermal

1 resources, frequently results in bringing to the sur-
2 face water extracted from underground sources.

3 (2) Some of this produced water is used for ir-
4 rigation or other purposes, but most of it is returned
5 to the subsurface.

6 (3) Reducing the amount of produced water re-
7 turned to the subsurface, and increasing the amount
8 that is made available for irrigation and other
9 uses—

10 (A) would augment water supplies;

11 (B) could reduce the costs to energy devel-
12 opers for disposing of such water; and

13 (C) in some instances could increase the
14 efficiency of energy development activities.

15 (4) It is in the national interest to remove or
16 reduce obstacles to use of produced water for irriga-
17 tion or other purposes in ways that will not ad-
18 versely affect water quality or the environment.

19 (c) PURPOSE.—The purpose of this Act is to facili-
20 tate the use of produced water for irrigation and other
21 purposes without adversely affecting water quality or the
22 environment, and to demonstrate ways to accomplish that
23 result.

24 **SEC. 2. DEFINITIONS.**

25 In this Act:

1 (1) PRODUCED WATER.—The term “produced
2 water” means water from an underground source,
3 that is brought to the surface as part of the process
4 of exploration for or development of oil, natural gas,
5 coalbed methane, or any other substance to be used
6 as an energy source.

7 (2) SECRETARY.—The term “the Secretary”
8 means the Secretary of the Interior.

9 (3) UPPER BASIN STATES.—The term “Upper
10 Basin States” means the States of Colorado, New
11 Mexico, Utah, and Wyoming.

12 (4) LOWER BASIN STATES.—The term “Lower
13 Basin States” means the States of Arizona, Cali-
14 fornia, and Nevada.

15 **SEC. 3. IDENTIFICATION OF PROBLEMS AND SOLUTIONS.**

16 (a) STUDY.—The Secretary, acting through the Com-
17 missioner of Reclamation and the Director of the United
18 States Geological Survey, shall conduct a study to iden-
19 tify—

20 (1) the technical, economic, environmental,
21 legal, and other obstacles to increasing the extent to
22 which produced water can be used for irrigation and
23 other purposes without adversely affecting water
24 quality or the environment; and

1 (2) the legislative, administrative, and other ac-
2 tions that could reduce or eliminate such obstacles.

3 (b) REPORT.—Not later than one year after the date
4 of the enactment of this Act, the Secretary shall report
5 to the Committee on Resources of the House of Represent-
6 atives and the Committee on Energy and Natural Re-
7 sources of the Senate regarding the results of the study
8 required by this section.

9 **SEC. 4. IMPLEMENTATION.**

10 (a) GRANTS.—Within existing authorities and subject
11 to the availability of funds appropriated for the purpose,
12 the Secretary shall provide financial assistance for the de-
13 velopment of facilities to demonstrate the feasibility, effec-
14 tiveness, and safety of processes to increase the extent to
15 which produced water may be recovered and made suitable
16 for use for irrigation, municipal or industrial uses, or
17 other purposes without adversely affecting water quality
18 or the environment.

19 (b) LIMITATIONS.—Assistance under this section—

20 (1) shall be provided for—

21 (A) at least one project in one of the
22 Upper Basin States other than New Mexico;

23 (B) at least one project in either New Mex-
24 ico or one of the Lower Basin States other than
25 California;

1 (C) at least one project in California; and

2 (D) at least one project in Texas;

3 (2) shall not exceed \$1,000,000 for any project;

4 (3) shall be used to pay not more than 50 per-
5 cent of the total cost of a project;

6 (4) shall not be used for operation or mainte-
7 nance of any facility; and

8 (5) may be in addition to assistance provided by
9 the United States pursuant to other provisions of
10 law.

11 **SEC. 5. CONSULTATION, ADVICE, AND COMMENTS.**

12 In implementing this Act, including preparation of
13 the report required by section 3 and the establishment of
14 criteria to be used in connection with award of financial
15 assistance pursuant to section 4, the Secretary shall—

16 (1) consult with the Secretary of Energy, the
17 Administrator of the Environmental Protection
18 Agency, and appropriate Governors and local offi-
19 cials;

20 (2) review any relevant information developed
21 in connection with research carried out by others, in-
22 cluding research carried out pursuant to section 999
23 of Public Law 109–58, and to the extent the Sec-
24 retary considers advisable include such information
25 in the report required by section 3;

1 (3) seek the advice of individuals with relevant
2 professional or academic expertise and of companies
3 or individuals with industrial experience, particularly
4 experience related to production of oil, natural gas,
5 or other energy resources, including geothermal re-
6 sources; and

7 (4) solicit comments and suggestions from the
8 public.

9 **SEC. 6. RELATION TO OTHER LAWS.**

10 Nothing in this Act shall be construed as super-
11 seding, modifying, abrogating, or limiting—

12 (1) the effect of any State law or any interstate
13 authority or compact with regard to any use of
14 water or the regulation of water quantity or quality;
15 or

16 (2) the applicability or effect of any Federal law
17 or regulation.

18 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated—

20 (1) \$1,000,000 to implement section 3; and

21 (2) \$5,000,000 to implement section 4.

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